

The Corporation of the Township of Huron-Kinloss



# BY-LAW

**2011-98**

**BEING A BY-LAW TO ADOPT AN  
ENTRANCE WAYS POLICY  
FOR THE TOWNSHIP OF HURON-KINLOSS**

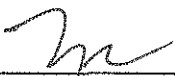
**WHEREAS** the Council of the Corporation of the Township of Huron-Kinloss deems it expedient to establish policies;

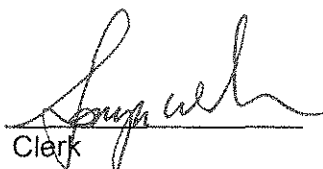
**AND WHEREAS** the Municipal Act S.O. 2001, c25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

**NOW THEREFORE** the Council of the Township of Huron-Kinloss enacts as follows:

- 1.0 The Corporation of the Township of Huron-Kinloss hereby adopts an Entrance Ways Policy contained in the attached Schedule "A" to this by-law.
- 2.0 That By-law 2002-73 the "Driveway Entrance Policy By-Law" and By-Law 1999-90 the "Road Entrance Policy By-Law" are hereby repealed and replaced.
- 3.0 This By-Law shall come into full force and effect upon its final passage.
- 4.0 This By-law may be cited as the "Entrance Ways Policy By-Law".

**READ a FIRST, SECOND and THIRD time and FINALLY** passed this 17<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



Section: 4.0 Public Works  
Policy: Entrance Ways Policy  
By-Law: 2011-98

Date: October 17<sup>th</sup>, 2011  
Pages: 4  
Revision:

- Coverage:** This policy shall govern the application for new or alterations to existing entrance ways within the Township of Huron-Kinloss.
- Policy Statement:** The Public Works Department shall consider protection of the public, maintenance of the traffic carrying capacity, protection of the investment, minimizing Township expenditures on maintenance and providing legal access when reviewing applications for new entrances or alterations to existing entrances.
- Legislative Authority:** N/A
- Contents:** *Definitions*
- Field Entrance: provides access to agricultural fields; shall be limited to one field entrance per farm with additional field entrances allowed where natural obstructions within the field prevent access across the field
- Farm Entrance: provides access to farm buildings and agricultural lands; shall be limited to one per farm
- Residential Entrance: provides access to residential facilities of four units or less; shall be limited to one per property
- Commercial/Industrial: provides access to a commercial/industrial establishment of any kind and includes an entrance to an apartment house or multiple family dwellings of five or more units; the number and length to be site specific and shall take into consideration the number and type of vehicles expected to utilize the entrance
- Commercial Wind Generation Entrance: provides direct or potential access to a commercial wind generation system; must have written permission of Council prior to proceeding

*Location of Accesses*

The Township shall restrict the placement of any access onto a Township road deemed not to be in the best interest of public safety. New access locations must be located so as to:

1. provide no undue interference with the safe movement of public traffic and pedestrians
2. provide favourable vision, grade and alignment conditions for all traffic using the proposed access
3. ensure it is designed and constructed in such a manner as to prevent the discharge of surface water onto the traveled portion of the road
4. not obstruct a ditch or watercourse on a Township road allowance

In general, new entrances ***will not be permitted***:

1. in close proximity to intersections,
2. within daylight triangles at intersections
3. in close proximity to any structure (bridge) that interferes with the clear vision of traffic using the entrance.

*General*

Prior to commencing any works the owner shall notify the Director of Public Works of their intentions. Public Works will view the area and advise of suitable location, minimum and maximum acceptable widths, type of backfill material to be used, and if required, the length and diameter of any culverts.

The Township of Huron-Kinloss shall not assist with the construction of entrances or laneways.

New Entrances:

1. All material, labour and installation costs incurred during the construction of a new entrance shall be the financial responsibility of the property owner.
2. Any new entrance requiring a culvert, the purchase of said culvert shall be the financial responsibility of the property owner and shall be installed as to provide for the free and unimpeded flow of water through the pipe.

3. Where curb and gutter exists at the proposed location, it is the owner's financial responsibility to undertake a curb cut if required.
4. No curb or headwall shall extend above the surface of the roadway shoulder within the limits of the Township road allowance. All curbs and headwalls shall be constructed at the expense and risk of the applicant.

Existing Entrances:

1. All existing entranceways requiring future or subsequent widening, alteration, maintenance or repair shall be done at the owner's expense.
2. All existing entranceways with culverts requiring future or subsequent replacement or pipe extensions shall be done at the owner's expense.

During construction of any road, water or storm sewer repair/replacement project, if it is deemed necessary to remove a section or all of a homeowners' driveway entrance located on Township road allowance, the driveway entrance restoration policy shall be as follows:

**Gravel driveways** shall be repaired/replaced using granular A materials at no cost to the homeowner.

**Asphalt driveways** shall be repaired/replaced using asphalt materials at no cost to the homeowner

Unless otherwise agreed upon prior to construction, driveways constructed of **concrete, interlocking brick or any material other than asphalt or plain concrete** shall be repaired/replaced using asphalt materials at no cost to the homeowner or if so requested, the Homeowner shall receive a dollar amount equal to the value of the asphalt and shall assume responsibility of any extra costs associated with restoring the driveway entrance to its original state.

Driveways shall be maintained to the traveled portion of the Township road by the property owner(s), including the removal of snow and ice, and keeping the portion of the access within the Township road allowance in a safe condition for vehicular traffic.

During the winter months the Township accepts no responsibility for providing access to an entranceway located on a non-winter maintained road allowance.

The Township reserves the right to remove any entranceway not constructed to the Director of Public Works satisfaction and either:

1. install a proper entranceway with all expenses incurred by the Township to be invoiced to the owner(s) or,
2. remove in return for salvage rights to the material.

*Conditions of Permit*

There will be no deposit or permit fees required with the exception of the commercial wind generation entrances which will be determined by Council prior to the signing of a wind turbine development agreement.